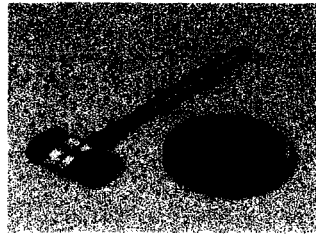


SERVED MAY 6, 2009

2009 MAY -6 P 2:34



U.S. DEPARTMENT OF TRANSPORTATION
OFFICE OF HEARINGS
WASHINGTON, DC

IN THE MATTER OF

KURT NICKELSEN

FAA DOCKET No. CP08AL0002
(Civil Penalty Case)

DMS No. FAA-2008-0786

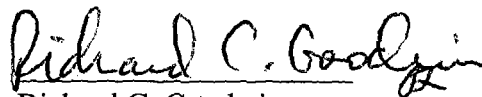
ORDER VACATING ORDER TO SHOW CAUSE.
AND ACCEPTING ANSWER

Complainant Federal Aviation Administration's Motion for Default and Decision ("Motion") dated April 8, 2009, which was not answered by Respondent Kurt Nickelsen (hereinafter "Respondent" or "Mr. Nickelsen"), led to an Order to Show Cause. The Order to Show Cause, dated April 28, 2009, directed Mr. Nickelsen, who is *pro se*, to answer Complainant's Complaint by May 6, or risk sanctions.

Mr. Nickelsen, under date of May 4, 2009, has responded, submitting a letter. In the letter he explains why he failed initially to file an Answer to the Complaint. The letter also substantively addresses the Complaint's allegations.

Mr. Nickelsen's letter is, in substance, a proper Answer to Complainant's Complaint. It is hereby ACCEPTED for filing as an Answer. The Order to Show Cause is hereby VACATED. The hearing will proceed as scheduled.

SO ORDERED.

A handwritten signature in dark ink, appearing to read "Richard C. Goodwin", with a stylized flourish at the end.

Richard C. Goodwin
U.S. Administrative Law Judge

Attachment – Service List

SERVICE LIST

ORIGINAL & ONE COPY

Federal Aviation Administration
800 Independence Avenue, S.W.
Washington, DC 20591
Attention: Hearing Docket Clerk, AGC-430,
Wilbur Wright Building—Suite 2W1000¹

ONE COPY

Kurt Nickelsen
1952 NE Franklin Street
Camas, WA 98607

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FAX: (907) 271-2800

The Honorable Richard C. Goodwin
Office of Hearings, M-20
U.S. Department of Transportation
1200 New Jersey Avenue, S.E.
East Building Ground Floor, Room E12-320
Washington, D.C. 20590
TEL: (202) 366-2139 Attorney-Advisor
(202) 366-5121 Legal Assistant
FAX: (202) 366-7536

¹ Service was by U.S. Mail. For service in person or by expedited courier, use the following address: Federal Aviation Administration, 600 Independence Avenue, S.W., Wilbur Wright Building—Suite 2W1000, Washington, DC 20591; Attention: Hearing Docket Clerk, AGC-430.